

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 IN RE BEXTRA AND CELEBREX  
12 MARKETING, SALES PRACTICES AND  
13 PRODUCT LIABILITY LITIGATION,

No. MDL 05-01699 CRB

**ORDER RE: MOTION TO  
WITHDRAW AS COUNSEL**

14 This document relates to:

15 Calvin Kimble, 06-0229 CRB  
16 Howard Klever, 06-0229 CRB

17  
18 Now pending for decision is the motion of the Bowersox Law Firm, P.C., and the Law  
19 Offices of Daniel E. Becnel, Jr. to withdraw as counsel for plaintiffs in the above matter.

20 After carefully considering the motion, and the supporting affidavit filed under seal,  
21 the Court ORDERS PLAINTIFFS TO SHOW CAUSE as to why (1) the motion of the  
22 Bowersox Law Firm P.C. and the Law Offices of Daniel E. Becnel, Jr. to withdraw as  
23 counsel of record should not be granted; and (2) plaintiffs' lawsuit should not be dismissed  
24 for a lack of prosecution. See Fed. R. Civ. P. 41. If either plaintiff wishes to contest the  
25 withdrawal of counsel and/or dismissal of that plaintiff's lawsuit for failure to prosecute, the  
26 plaintiff shall notify the Court in writing on or before August 23, 2007 of the reasons the  
27 withdrawal should not be granted or the case dismissed. In particular, if a plaintiff wishes to  
28

1 proceed with this action, the plaintiff shall advise the Court of the name and address of  
2 plaintiff's new counsel or, if plaintiff will be proceeding without a lawyer, plaintiff must  
3 advise the Court of how the Court should contact the plaintiff. In addition, the plaintiff shall  
4 advise the Court as to whether the plaintiff has completed and served defendants with a  
5 plaintiff fact sheet and provided defendants with authorizations for the release of medical  
6 records. Each plaintiff is warned that a plaintiff's failure to communicate with the Court in  
7 writing as set forth above may result in dismissal of the plaintiff's claims with prejudice.

8 Plaintiffs' counsel shall ensure that each plaintiff receives a timely copy of this Order.

9 **IT IS SO ORDERED.**

10 Dated: July 31, 2007

11   
CHARLES R. BREYER  
12 UNITED STATES DISTRICT JUDGE